

D&D ASSOCIATES, INC.,	:	CIVIL ACTION NO. 03-1026 (MLC)
	:	
Plaintiff,	:	ORDER
	:	
v.	:	
	:	
BOARD OF EDUCATION OF	:	
NORTH PLAINFIELD, et al.,	:	
	:	
Defendants.	:	
	:	

GRANTED TO THE EXTENT that it seeks:

- (1) attorneys' fees on Count Five ("Civil Rights – Intimidation of Witnesses (Epstein, Board of Education)") accrued after March 26, 2007, under 42 U.S.C. § 1988 ("Section 1988"), to be paid by D&D itself;
- (2) attorneys' fees on Count Six ("Civil Rights – Illegal Garnishment Without Due Process of Law (All Defendants)") accrued after April 14, 2006, under Section 1988, to be paid by D&D itself;
- (3) sanctions against counsel for D&D on Count Five for the period after March 26, 2007, under Fed.R.Civ.P. 11 ("Rule 11");
- (4) sanctions against counsel for D&D on Count Six for the period after April 14, 2006, under Rule 11;
- (5) sanctions against D&D and its counsel on Count Seven ("Quia Timet – New Jersey Law (All Defendants)"), Count Ten ("Tortious Interference (All Defendants)"), Count Twelve ("Conversion (Board of Education, Bovis)"), Count Thirteen ("Fraudulent Inducement (Board of Education, Epstein, Vitetta)"), Count Fourteen ("Fraudulent Inducement, Rescission of Performance Bonds (Board of Education, Epstein, Vitetta)"), Count Fifteen

(“Civil Conspiracy (Board of Education, Epstein, Vitetta, Bovis)”), and Count Sixteen (“Malicious Abuse of Process (Board of Education, Epstein)”) under Rule 11;

(6) attorneys’ fees against counsel for D&D under 28 U.S.C. § 1927 (“Section 1927”);

(7) sanctions against D&D under the inherent powers of the Court; and

DENIED TO THE EXTENT that it seeks relief on any other ground; and it is further

ORDERED that Board of Education of North Plainfield will be granted the following relief:

(1) attorneys’ fees on Count Five accrued after March 26, 2007, under Section 1988, to be paid by D&D itself;

(2) attorneys’ fees on Count Six accrued after April 14, 2006, under Section 1988, to be paid by D&D itself;

(3) sanctions against counsel for D&D on Count Five for the period after March 26, 2007, under Rule 11;

(4) sanctions against counsel for D&D on Count Six for the period after April 14, 2006, under Rule 11;

(5) sanctions against D&D and its counsel on Count Seven, Count Ten, Count Twelve, Count Thirteen, Count Fourteen, Count Fifteen, and Count Sixteen under Rule 11;

(6) attorneys’ fees against counsel for D&D under Section 1927; and

(7) sanctions against D&D under the inherent powers of the Court; and it is further

ORDERED that the parties will contact the Courtroom Deputy to schedule further proceedings.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge